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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/017,185  | 12/07/2001  | Jeffrey D. Marsh     | MARJ 8158US         | 6988             |
| 1688  | 7590        | 08/20/2004           | EXAMINER            |                  |
| POLSTER, LIEDER, WOODRUFF & LUCCHESI<br>12412 POWERSCOURT DRIVE SUITE 200<br>ST. LOUIS, MO 63131-3615 |             |                      | HENDERSON, MARK T   |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 3722                |                  |

DATE MAILED: 08/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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|                              |                                      |  |  |
|------------------------------|--------------------------------------|--|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/017,185 | <b>Applicant(s)</b><br>MARSH, JEFFREY D. |  |
|                              | <b>Examiner</b><br>Mark T Henderson  | <b>Art Unit</b><br>3722                  |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 May 2004.  
 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.  
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-38 is/are pending in the application.  
     4a) Of the above claim(s) 1-11 is/are withdrawn from consideration.  
 5) ☒ Claim(s) 12-24 and 34-38 is/are allowed.  
 6) ☒ Claim(s) 25 is/are rejected.  
 7) ☒ Claim(s) 26-33 is/are objected to.  
 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \*    c) ☐ None of:  
         1. ☐ Certified copies of the priority documents have been received.  
         2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
         3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
     \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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## **DETAILED ACTION**

### **Faxing of Responses to Office Actions**

In order to reduce pendency and avoid potential delays, TC 3700 is encouraging FAXing of responses to Office Actions directly into the Group at (703)872-9306. This practice may be used for filing papers which require a fee by applicants who authorize charges to a PTO deposit account. Please identify the examiner and art unit at the top of your cover sheet. Papers submitted via FAX into TC 3700 will be promptly forwarded to the examiner.

### ***Election/Restriction***

1. This application contains claims 1-11 drawn to an invention nonelected with traverse in Paper No. 6. A complete reply to the final rejection must include cancellation of nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.

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***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 25 is finally rejected under 35 U.S.C. 103(a) as being unpatentable over Marsh (6,142,721) in view of Melcher (2001/0041114) and further in view of Weers (6,666,641).

Marsh discloses in Claim 21 and 22, a method of making a book comprising forming a book block; printing the pages of the book; applying an adhesive to be disposed between book block and a double book cover; bringing together the central portion of the cover and the spine of the book block into engagement; and clamping (or compressing) the cover to the book block so that the adhesive adheres the cover to the spine.

However, Marsh does not disclose the method of laminating the inner and outer face of a cover to form a double laminated cover; conditioning the surface of a portion of the inner face of the laminated cover in an area to be adhered to a book block spine.

Melcher discloses a cover made of synthetic paper (does not have to be made fully of synthetic paper), wherein the cover is conditioned on the surface of a portion of an inner face of the laminated cover (Page 2, Par. 0017).

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Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Marsh's method of bookmaking with a cover having synthetic material and conditioned on the surface of a portion of the inner face of the synthetic cover as taught by Melcher for the purpose of facilitating the placement and retention of adhesive required for binding.

However, Marsh as modified by Melcher does not disclose a cover having a laminated inner and outer face.

Weers discloses a book cover (11) made of synthetic material (not fully) which consist of paper covers coated or laminated with plastic material.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Marsh's and Melcher's method of bookmaking by laminating the cover with plastic material to produce a synthetic material cover as taught by Weers for the purpose of improving the durability of the book cover.

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***Allowable Subject Matter***

3. Claims 12-24 and 34-38 are allowed.
4. Claims 26-33 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
5. The following is a statement of reasons for the indication of allowable subject matter: No prior art of record discloses a method and apparatus for printing a perfect bound book comprising: a text printer; a cover printer; a lamination station for laminating a plastic film to both of the faces of the cover to form a double laminated cover; a cover conveyor for conveying the cover from the cover printer to the lamination station; a carriage receiving the book block after the text pages have been printed by the text printer, wherein an adhesive application is applied to the spine of the book block; the cover conveyor transporting the double laminated cover from the lamination station to a cover conditioning station, wherein the conditioning station conditions a portion of the inner lamination of the inner cover to facilitate adhesive binding of the book block to the cover; and wherein the cover conveyor transports the double laminated cover to binding stations; wherein the binding stations have a clamp engageable with the outer face of the

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laminated cover to forcibly clamp the cover to the book block; and including all of the other limitations of the independent claim.

### ***Prior Art References***

The prior art references listed in the attached PTO-892, but not used in a rejection of the claims, are cited for (their/its) structure. Geiser et al and Melcher ('034) discloses a similar method of making a book.

### ***Response to Arguments***

6. Applicant's arguments filed on May 10, 2004 have been fully considered but they are not persuasive.

In regards to applicant's argument that none of the references teach or suggest the steps of: after laminating said double laminated cover, conditioning at least the surface of a central portion of the inner face of the double laminated cover (not necessarily meaning that the conditioned portion is a laminated portion), so that the adhesive will effectively bind the spine to the inner lamination in the area of the central portion, the examiner submits that Marsh as

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disclosing a method of making a book comprising applying adhesive to be disposed between a book block and a double book cover, bringing both the cover and block together so that adhesive adheres the cover to the spine of the book block. However, Marsh does not disclose a cover having double lamination on its surface, wherein the cover (not necessarily including the laminated portion) is conditioned to facilitate with the adhesives binding. Melcher discloses a cover made of synthetic material wherein the cover is conditioned on a surface of a portion of the inner face of the synthetic cover (however, not necessarily including the laminated portion). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Marsh's method of bookmaking with a cover having synthetic material and conditioned on the surface of a portion of the inner face of the synthetic cover as taught by Melcher for the purpose of facilitating the placement and retention of adhesive required for binding. However, Marsh as modified by Melcher does not disclose wherein the synthetic cover is a cover having synthetic double laminated material on both faces of the cover. Weers is used for citing a book cover made of synthetic material (not fully) which consist of paper covers coated or laminated with plastic material. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Marsh's and Melcher's method of bookmaking by laminating the cover with plastic material to produce a synthetic material cover as taught by Weers for the purpose of improving the durability of the book cover.



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***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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**Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark T. Henderson whose telephone number is (703)305-0189. The examiner can be reached on Monday - Friday from 7:30 AM to 3:45 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner supervisor, A. L. Wellington, can be reached on (703) 308-2159. The fax number for TC 3700 is (703)-872-9302. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the TC 3700 receptionist whose telephone number is (703)308-1148.



MTH

August 17, 2004



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